IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION No. 8727 of 2005

Between:

C. Shankar Rao

..... PETITIONER

AND

The District Committee for Sand Auction,

rep. by its Chairman, Karimnagar District,

Karimnagar and 2 others. **.....RESPONDENTS**

ORDER:

This writ petition is filed seeking a direction to the respondent to conduct auction for Kudurupalli quarry for escalation of sand.

It is the case of the petitioner that he is a Government Contractor and he was asked to execute the work of VIP Guest house at National Institution of Technology, Warangal. He is also assisting another contractor who was allotted to work of 200 single seated hospital at Warangal. They are required large quantity of sand for construction of these buildings. The nearest sand quarry is at Kururupalli, Mahadevarapalli Mandal, Karimnagar District. It is further stated that as per the orders of this Court, no sand quarrying is permitted in dry regions where ground

water is affected, except the sand quarries existed in Godavari, Krishna and Penna basins, which are major rivers. Kudurupalli is the nearest quarry to Godavari River. It is further stated that the Kudurupalli quarry is not functioning since 1st week of April,2005 as the lease period of earlier contractor has expired. There is no other quarry functioning nearer to Warangal and the other quarries are situated at Mormur, Ramagundam Mandal at a distance of 160 k.m. from the base of construction work of the petitioner. Therefore, he filed this writ petition seeking auction of Kururupalli quarry.

Heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj and Rural Development.

The learned Government Pleader, on instructions, submitted that as per the report of the Mandal Revenue Officer, Mahadevpoor, dated 21.03.2005, Mahadevpoor Mandal is disturbed mandal, extremists problem is prevailing in all villages, the road condition from Kataram to Kaleshwaram was badly damaged due to which the quarry proposals in the mandal is not advisable. He also submitted that the Divisional Forest Officer(East), Karimnagar also reported that the forest will be effected if Kudurupalli quarry is auctioned. For the above said reasons, the respondents have stopped the auction of Kudurupalli quarry.

Having regard to the submissions made by the learned Government Pleader for Panchayat Raj and Rural Development, the petitioner cannot compel the Government to auction Kudurupalli quarry and it is for the administrators to consider the issue and take a decision whether to auction the quarry or not, considering remarks of the concerned. Therefore, I see no reason to entertain this writ petition.

Accordingly, the Writ Petition is dismissed. No order as to costs.

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ELIPE DHARMA RAO,J

Dated: 26.07.2005

Dsr